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February 25, 2021

BY ECF

Hon. Analisa Torres
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *L.M. individually and on behalf of R.R, a child with a disability. v. New York City Department of Education*, 21-cv-11175 (AT)(BCM)

Dear Judge Torres:

I am the Assistant Corporation Counsel in the Office of the Corporation Counsel assigned to represent the New York City Department of Education (DOE) in the above-referenced case wherein Plaintiff seeks attorney's fees for the administrative proceeding resulting in Impartial Hearing Officer determination 183695 and this related federal action. I write to respectfully request a 45-day extension of time to file a response to the Initial Pretrial Scheduling Order (Dkt. No. 6).

On December 30, 2021, Plaintiff filed a Complaint. (Dkt No. 1). DOE was served with a copy of the Complaint on January 3, 2022, making its response due on January 25, 2022. Defendant requested a 60-day extension, which was granted, making the Answer due March 25, 2022.

On January 20, 2022, the Court issued a pretrial scheduling order which requires the parties to submit a joint letter with a Proposed Case Management Plan and Scheduling Order by February 28, 2022. Defendants now request an extension of time to submit a Proposed Case Management Plan and Scheduling Order until a date subsequent to the current deadline for Defendant to respond to the Complaint. Defendant believes that this is in the interest of judicial efficiency as the DOE will have a clearer understanding of its defenses at that time. DOE is currently reviewing the administrative record and has not yet received Plaintiff's billing records. Therefore, Defendant proposes that the parties submit the joint letter with a Proposed Case Management Plan and Scheduling Order on April 14, 2022.

This is Defendant's first request for an extension of this deadline. Plaintiff consents to this request which, if granted, would not impact any other deadline.

Accordingly, Defendant DOE respectfully requests an extension of time to respond to the January 20, 2022 Order, from February 28, 2022, to April 14, 2022.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Mark Toews

Assistant Corporation Counsel

cc: **by ECF**
Kevin M. Mendillo, Of Counsel
Counsel for Plaintiff

GRANTED.

SO ORDERED.

Dated: February 28, 2022
New York, New York



ANALISA TORRES
United States District Judge